

**REMARKS**

Favorable reconsideration of the above-identified application is requested in view of the following remarks.

Claims 1-40 are pending, with Claims 1, 14, 24 and 27 being independent. By this Amendment claims 1, 14, 24 and 27 are amended. The Examiner is thanked for indicating that Claims 7, 8, 20, 21, 33 and 34 contain allowable subject matter.

Claims 1-3, 9, 11, 14-16, 22-29 and 35 are rejected under 35 U.S.C. § 102(e) as being anticipated by Bates. Claims 4, 6, 10, 17, 19, 30, 32 and 36-40 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bates in view of Honda (Translation of Japanese Patent No. 09-025285A), hereinafter Honda. Claims 5, 18 and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bates in view of Honda and further in view of Fujimoto et al. (U.S. Patent No. 5,930,385), hereinafter Fujimoto. Claims 12 and 13 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Bates in view of Adegeest (U.S. Patent No. 5,872,572), hereinafter Adegeest.

Independent Claim 1 now recites, in combination with other claimed features, means for grouping all the colors of a plurality of objects in the first image data, which are not the same colors, into groups, each of which is for grouping approximately equal colors and comparing the approximately equal colors of each group to all the colors of the second image data and for specifying a uniform adjusting color for each of the plurality of objects, that makes the first image data recognizable against all colors of the second image data that serve as the first image data's background.

The colors of a plurality of objects of the foreground (first) image data are grouped by their colors (approximately equal colors), and the colors of the foreground (first) image data are compared in each group with the color of the background (second) image data. Thus, when there are plural character images which appear as the same color on the background image such as a photographic image, the character images can be prevented from being converted to different colors.

Bates does not disclose that colors of a plurality of objects of the foreground, i.e., the first image data, which are not the same color, are grouped into groups, each of which is for grouping approximately equal colors and comparing the approximately equal colors of each group to all the background colors, i.e., second image data, as recited in present Claim 1.

Instead, Bates has the problem discussed in paragraph [0007] of the specification. Specifically, color adjustment is done independently to each area or pixel of character images. Bates does not disclose specifying a uniform adjusting color. See Bates at column 21, lines 60-64. The steps 310 through 350 are performed for one text object and then the next text object.

As discussed in paragraph [0071] of Applicant's specification, the specific colors in the foreground image data having approximately the same colors are adjusted to a uniform color.

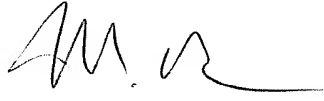
Independent claims 14, 24 and 27 are allowable for reasons similar to those discussed above with respect to independent claim 1.

For the reasons stated above, it is requested that all the rejections be withdrawn and that this application be allowed in a timely manner.

Should any questions arise in connection with this application, or should the Examiner feel that a teleconference would be helpful in resolving any remaining issues pertaining to this application, the undersigned requests that he be contacted at the number indicated below.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC



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